Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of The Commercial Mobile Alert System	PS Docket No. 07-287

COMMENTS OF NOKIA AND NOKIA SIEMENS NETWORKS

Nokia Inc. and Nokia Siemens Networks US LLC (hereafter "Nokia and NSN") jointly submit these comments in response to the Notice of Proposed Rulemaking ("NPRM") in the above-referenced proceeding.[1] Nokia and NSN urge the Commission to adopt in full the recommendations presented to it by the Commercial Mobile Service Alert Advisory Committee (the "CMSAAC").

I. INTRODUCTION

Nokia is the world leader in mobility, driving the transformation and growth of the converging Internet and communications industries. Nokia is the world's leading manufacturer of mobile devices and provides people with experiences in music, navigation, video, television, imaging, games, and business mobility through these devices. Headquartered in Espoo, Finland, and with sales in more than 150 countries, Nokia has over 68,000 employees.

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[1] *The Commercial Mobile Alert System*, Notice of Proposed Rulemaking, PS Docket No. 07-287 (rel. Dec. 14, 2007) ("*NPRM*").

NSN, a joint venture of Nokia and Siemens, is a leading global enabler of communications services. The company provides a complete, well-balanced product portfolio of mobile and fixed network infrastructure solutions and addresses the growing demand for services with over 20,000 service professionals worldwide. Headquartered in Espoo, Finland, and with approximately 60,000 employees, NSN is one of the largest telecommunications infrastructure companies with operations in 150 countries.

With a combined end-to-end portfolio of communications equipment, products and services, Nokia and NSN are keenly interested in the operation of a commercial mobile alert delivery system in the United States. Nokia was an active member of the CMSAAC and its working groups. NSN also was deeply engaged in the CMSAAC activities, both through its relationship with Nokia, as well as through trade associations and standards development organizations with seats on the committee.

II. CONGRESS IN THE THE WARN ACT DIRECTED THE COMMISSION TO BASE ITS IMPLEMENTING REGULATIONS ON THE CMSAAC'S RECOMMENDATIONS

The U.S. Congress enacted the Warning Alert and Response Network (WARN) Act[2] in October 2006 and directed the Commission to establish an advisory committee to develop recommendations for the technical requirements and processes necessary for electing commercial mobile service ("CMS") providers to transmit emergency alerts to subscribers.[3] Pursuant to the WARN Act, the Commission constituted the CMSAAC.

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2 Security and Accountability For Every Port Act of 2006 (SAFE Port Act), Pub.L. 109-347, Title VI-Commercial Mobile Service Alerts (WARN Act).

3 WARN Act, §603(c).

After nearly a year of intensive effort, the CMSAAC delivered a report[4] with its recommendations for an end-to-end Commercial Mobile Alert System ("CMAS") that includes detailed technical parameters and requirements for every component of such system, including government and commercial mobile service provider elements, alerting requirements, geo-targeting requirements, and standards for security, reliability and performance.

As the Commission notes in the NPRM, Section 602(a) of the WARN Act requires that it adopt technical standards, protocols, procedures, and other technical requirements based on the recommendations of the CMSAAC that will enable commercial mobile service alerting capability for CMS providers that voluntarily elect to transmit emergency alerts.[5]

In the NPRM, the Commission seeks comments generally and specifically on the CMSAAC Report and all of its recommendations. It asks whether, if adopted, the recommendations would satisfy the requirements of the WARN Act and the Commission's goal of ensuring a robust, reliable and effective CMAS that could be used to transmit emergency alerts to all Americans.[6]

Nokia and NSN firmly believe the answer to this question is a resounding "yes." The Commission should adopt the CMSAAC Report recommendations since doing so is consistent with express Congressional intent, is the product of a balanced and transparent effort of technical and other experts, and provides the path most likely to lead to a

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4 *Commercial Mobile Alert Service Architecture and Requirements,* Commercial Mobile Service Alert Advisory Committee, October 12, 2007 (included as Appendix B to the NPRM*) ("CMSAAC Report").*

5 WARN Act, §602(a).

6 See *NPRM* at ¶6.

successful introduction of a CMAS that will deliver critical and timely information to the millions of Americans that utilize wireless phones.

Congress had the vision and foresight to comprehend that the most effective way to realize a nationwide commercial mobile alert system was to bring together at the outset the "brain trust" from industry, government, consumer-oriented organizations, and others, in order to find solutions that would be technically and economically feasible, while meeting consumer needs. In short, a system that holds the most important of promises: being implemented.

Considering the level of complexity it had to overcome in fulfilling its assignment, the work of the CMSAAC on a very tight timeline can best be described as a marvel of achievement. Unless the Commission or other commenting parties are able to identify serious shortcomings in the CMAS as proposed by the CMSAAC, there is no reason to deviate from it, particularly in light of the fact that election to transmit CMAs is voluntary for CMS providers.

Nokia and NSN therefore urge the Commission to adopt the complete CMSAAC report, including its recommendations that:

- Point-to-point solutions (*i.e.* SMS) should not be considered for the delivery of CMAs since their use in this context would be technologically infeasible and inefficient.[7] The establishment of point-to-multipoint delivery systems for the respective technologies deployed by CMS

[7] *CMSAAC Report* at 49; see *NPRM* at ¶8.

providers will of course require adequate time to allow for the necessary development of industry standards, a process already underway.[8]

- Technical limitations preclude dynamic geo-targeting at a level more granular than a county, at this time.[9] Of course, increased granularity is an appropriate longer term goal should it become feasible, and the Commission can reassess technology developments as warranted.
- In terms of testing of the devices and equipment used for CMAS, test messages need not be sent to live mobile devices of subscribers, for reasons of unnecessary network and device resource utilization and consumer confusion.[10] Testing between CMAS alert initiators and the CMSP gateways should be adequate.

Finally, Nokia and NSN do not believe that the Commission has additional statutory authority, independent of the WARN Act, to implement a mobile alerting system.[11] Moreover, Congress explicitly has spoken through this recent legislation as to how it expects a national mobile alerting system to be developed. In any event, Nokia and NSN are optimistic that Commission adoption of the CMSAAC Report and its recommendations could make this question a needless concern.

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[8] For example, we expect that further information on such standards efforts will be made available in the comments that we anticipate being filed today by the Alliance for Telecommunications Industry Solutions (ATIS) on behalf of its Wireless Technologies and Systems Committee (WTSC).

[9] *CMSAAC Report* at 55-56; see *NPRM* at ¶21.

[10] *CMSAAC Report* at 78-79; see *NPRM* at ¶41.

[11] *See NPRM* at ¶42.

III. CONCLUSION

Nokia and NSN fully support the recommendations offered by the CMSAAC and urge the Commission to adopt them in their entirety. Implementation of the WARN Act is progressing precisely as envisioned by Congress, as well as the Commission. The creation of a commercial mobile alerting system as envisioned by Congress, the Commission and the CMSAAC will bring enormous benefits to consumers, by enhancing their safety and potentially protecting property and, more significantly, saving lives. Staying on course will bring this system online as soon as it is technically and operationally feasible. Meanwhile, all parties involved without question will continue seeking improvements to the system with new features and capabilities as technologies emerge, develop and mature.

Respectfully Submitted,

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